

REMARKS

General Remarks

With this Amendment, Applicants add new Claim 15. Therefore, Claims 1-15 are all the claims currently pending in the present application.

Claim Rejections. Claims 1 and 2 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Tanabe et al., U.S. Patent No. 5,177,736, (“Tanabe”). Applicants respectfully traverse this rejection for at least the reasons discussed below.

Allowable Claims. The Examiner indicates that Claims 3-14 are objected to as dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the claims from which they depend. With this Amendment, Applicants rewrite Claims 3, 4, and 8 into independent form, including the limitations of Claim 1, from which they previously depended. Claims 5-7 and 9-14 depend from Claims 4 and 8. Applicants therefore submit that all of Claims 3-14 are in proper form for allowance and respectfully request that the objection thereto be reconsidered and withdrawn.

New Claim. Applicants have added new Claim 15 in order to more fully cover various aspects of Applicants’ invention as disclosed in the specification.

Claims 1 and 2

With this Amendment, Applicants amend Claim 1. Applicants respectfully submit that the amendments to Claim 1 are not intended to narrow the scope of the original claim, but are rather for precision of language and to explicitly recite within the claim what was believed to

have already been implicitly defined therein. Accordingly, these amendments do not foreclose the application of reasonable equivalents.

Regarding the Examiner's §102(b) rejection of Claim 1 over Tanabe, Applicants submit that Tanabe fails to disclose or suggest a sequence number, as claimed.

The Examiner refers to routing information R1-R3 of Tanabe as comparable to the claimed sequence number. (Office Action, p. 2). According to Tanabe, R1 indicates the proper output line from a first stage switch, R2 indicates the proper output line from a second stage switch, and R3 indicates the proper output line from a third stage switch. (Tanabe, col. 5, lns. 46-62). However, there is no disclosure or suggestion in Tanabe that any of the routing information R1-R3 is a sequence number, as claimed. In other words, none of the routing information R1-R3 is related to an order of distribution and sending out of a packet. Further, as described in Tanabe, there is no other information or number assigned to a packet based on an order of distribution and sending.

Further, Tanabe fails to disclose or suggest outputting packets in consecutive order of sequence numbers. There is no disclosure or suggestion in Tanabe that a unit switch at a final stage outputs packets according to a consecutive order of sequence numbers.

Regarding Claim 2, Applicants submit that Claim 2 is patentable at least by virtue of its dependence on Claim 1.

Therefore, Applicants submit that Claims 1 and 2 are not anticipated by Tanabe and respectfully request that the rejection of these claims be reconsidered and withdrawn.

AMENDMENT UNDER 37 C.F.R. § 1.111

U.S. Application No. 09/540,990

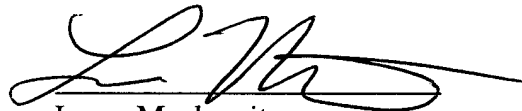
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Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Laura Moskowitz
Registration No. 55,470

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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